

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

GEO. M. MARTIN COMPANY, a California
corporation, and THE MARTIN FAMILY
TRUST – 1989,

No. C 07-00692 WHA

Plaintiffs,

v.

**ORDER RE PLAN FOR RE-
TRIAL**

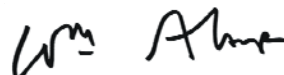
ALLIANCE MACHINE SYSTEMS
INTERNATIONAL, LLC, a Wyoming
corporation,

Defendant.

For the re-trial, counsel should meet and confer on a plan to take additional discovery and to update the damages period to the end of 2008. The additional discovery should include more complete evidence on the Visy machine, but it should not be limited to it. Expert reports should be revised with the benefit of the trial record and experts should be subject to depositions. In addition, George Martin should simplify the re-trial by limiting the claims at issue. In the Court's judgment, each side should be allowed two additional depositions not including depositions for experts who have revised their reports. Counsel should meet and confer to submit a joint proposal regarding supplemental discovery and revising expert reports at the same time as the reply briefs on the Rule 50 motions are due. The Court expects that the re-trial could be sometime in the April to June 2009 timeframe. Counsel are required to hold another settlement conference with Judge Laporte on or before October 31, 2008.

IT IS SO ORDERED.

Dated: October 17, 2008.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE